

01/15/2019

JULIA C. DUDLEY, CLERK

BY: s/ F. COLEMAN
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

ANDREW H.,

Plaintiff,

v.

NANCY A. BERRYHILL

Acting Commissioner of Social Security,

Defendant.

CASE NO. 6:17-cv-00061

ORDER

Before the Court are cross Motions for Summary Judgment (dks. 14 & 16), and the Report & Recommendation of U.S. Magistrate Judge Robert S. Ballou (dkt. 21, "R&R"). Under Standing Order 2011-17 and 28 U.S.C. § 636(b)(1)(B), I referred this matter to Judge Ballou for a recommended disposition. The Court ordered that any objections be filed by January 11, 2019. After review of the record, and no objections having been filed to the R&R by the deadline, I will adopt the R&R. Accordingly:

1. The R&R of August 15, 2018, is hereby **ADOPTED** in its entirety;
2. Plaintiff's Motion for Summary Judgment (dkt. 14) is hereby **GRANTED**;
3. Defendant's Motion for Summary Judgment (dkt. 16) is hereby **DENIED**;
4. This case is **REMANDED** for further consideration by the Administrative Law Judge;
5. The Clerk is directed to send a copy of this Order to counsel.

Entered this 15th day of January, 2019.


NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE